

James E. Woods, Mayor  
Jay G. Foy, Vice Mayor  
Jerry E. Beavers, Council Member  
Henry "Butch" Lynch, Council Member  
Mark C. Uptegraph, Council Member  
John Fenn Foster, Town Attorney  
Janice C. Rutan, Town Administrator



**TOWN OF HAVERHILL**  
**Regular Town Council Meeting**  
**April 23, 2009**

**7:00 p.m.**

**Town Hall – 4585 Charlotte Street**  
**AGENDA**

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF THE CONSENT AGENDA**
  - a. Approval of minutes April 9, 2009 meeting**
- VI. PRESENTATIONS AND PROCLAMATIONS**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT**
- IX. REGULAR AGENDA**
- X. SECOND READINGS AND PUBLIC HEARINGS**
  - a. ORDINANCE No. 369 -**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTING PLAN AMENDMENT 08-01 TO THE TOWN OF HAVERHILL COMPREHENSIVE PLAN TO IMPLEMENT AMENDMENTS RELATING TO ITS EVALUATION AND APPRAISAL REPORT AND ITS TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN, AND TO UPDATE ITS CAPITAL IMPROVEMENTS ELEMENT TO INCORPORATE NEW REQUIREMENTS; AMENDING THE LAND USE ELEMENT, TRAFFIC CIRCULATION ELEMENT, HOUSING ELEMENT, INFRASTRUCTURE ELEMENT, CONSERVATION ELEMENT, RECREATION AND OPEN SPACE ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, AND PUBLIC SCHOOL CONCURRENCY ELEMENT; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**
  - b. SPECIAL EXCEPTION APPLICATION FILED WITH THE TOWN CLERK BY CHRISTOPHER P. BARRY PLANNER, JON E. SCHMIDT & ASSOCIATES, INC. APPLICANT FOR THE OWNER, RESIDENCES AT HAVERHILL, LLC FOR PROPERTY LOCATED AT 1277 HAVERHILL ROAD TO ALLOW A 15,000 SQUARE FOOT DAY CARE GENERAL WITH A MAXIMUM CAPACITY OF 350 CHILDREN**

- XI. REPORTS**
  - Town Attorney**
  - Mayor**
  - Consultants**
  - Administrator's Report**
  - Committee/Delegate Report**
  - Treasurer's Report (included in packet)**
- XII UNFINISHED BUSINESS**
- XIII NEW BUSINESS**
- XIV ADJOURNMENT**

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record.

In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, CMC, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

**TOWN OF HAVERHILL  
Regular Town Council Meeting  
April 23, 2009  
7:00 p.m.  
Town Hall – 4585 Charlotte Street**

Pursuant to the foregoing notice, the regular meeting of the Town Council was held on Thursday, April 23, 2009 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were James E. Woods, Mayor; Jay G. Foy, Vice Mayor; Henry Lynch, Council Member AND Mark Uptegraph, Council Member. Also present were Town Attorney John Fenn Foster, Code Enforcement Officer Joseph Roche and Town Administrator Janice C. Rutan.

**CALL TO ORDER**

Mayor Woods called the meeting to order at 7:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Woods offered the Invocation and led the Pledge of Allegiance

**ROLL CALL**

The Clerk called the roll. All members were present with the exception of Council Member Beavers who was attending the Florida League of Cities IEMO conference in Daytona Beach.

**APPROVAL OF AGENDA**

There being no additions, deletions or substitutions, the agenda was ordered approved as presented.

**APPROVAL OF THE CONSENT AGENDA**

Approval of minutes April 9, 2009 meeting

**A motion was made by Council Member Uptegraph, seconded by Council Member Lynch and unanimously passed (4-0) to approve the Consent Agenda as presented.**

**PRESENTATIONS AND PROCLAMATIONS**

None.

**COMMENTS FROM THE PUBLIC**

None.

**COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT**

Deputy Sergeant Newborne was present representing the Palm Beach County Sheriff's office. He reported that other than the stolen property ring that was busted on Ivory Lane, there had been one reported instance of criminal mischief at 1099 Military Trail.

He reported that victims of property found at the Ivory Road residence would have the opportunity to view the stolen goods in an attempt to recover their items.

**SECOND READINGS AND PUBLIC HEARINGS**

**ORDINANCE No. 369 -**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTING PLAN AMENDMENT 08-01 TO THE TOWN OF HAVERHILL COMPREHENSIVE PLAN TO IMPLEMENT AMENDMENTS RELATING TO ITS EVALUATION AND APPRAISAL REPORT AND ITS TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN, AND TO UPDATE ITS CAPITAL IMPROVEMENTS ELEMENT TO INCORPORATE NEW REQUIREMENTS; AMENDING THE LAND USE ELEMENT, TRAFFIC CIRCULATION ELEMENT, HOUSING ELEMENT,**



contract with Palm Beach County (9/30/2013). As such, those properties would be excluded from the Town's RFP.

#### **Consultants**

None.

#### **Administrator's Report**

The Town Administrator reported that the Supervisor of Elections, Susan Bucher, had addressed the Palm Beach County Municipal Clerk's Association and had informed them that the Supervisor of Elections office would no longer be providing election assistance to the municipalities for Municipal Elections.

This change would result in a budgetary increase that the municipalities would need to plan for. Some of the items currently being provided by the Supervisor of Elections office were training of workers, canvassing votes, serving on the Board of Canvassers, some of the legal advertisements and staff time.

An ad hoc committee was being formed through the Palm Beach League of Cities to address this matter. Ms. Rutan reported that she had asked Ms. Bucher to be sure the Town Clerk's would be represented on the committee as they would be more familiar with the elections than the elected officials.

The Town Administrator reported that she would be changing the Town's web host from Bellsouth to Network Solutions on Friday evening. The change would take place over the weekend with a slight chance of lost e-mails.

She reported that on behalf of the Mayor, follow up letters had been sent to Commissioner Koons and the Metropolitan Planning Organization concerning the widening of Belvedere Road and the removal of the widening of both Belvedere Road and Haverhill Road for the 2035 Transportation Plan respectively.

#### **Committee/Delegate Report**

Vice Mayor Foy reported on the Code and Ordinance Committee meeting held on April 15, 2009. The list of outstanding items had been narrowed down and the next meeting had been scheduled for April 30, 2009.

The next meeting of the NPDES was scheduled for June 10, 2009. Haverhill was one of the municipalities scheduled for a site visit.

Vice Mayor Foy reported that Charlie Rich of Palm Beach County was overseeing the drainage project from Woodland Avenue to the E-3 canal. Funding was in their budget and the project was still poised to move forward.

Vice Mayor Foy reported that the Water Resources Task Force did meet and that the information had been submitted to the Technical Review Board.

Code Enforcement Officer Roche reported that the sign on the Town's Right of Way on Belvedere Road in memory of "Tickles O'Connor" had been removed.

Mayor Woods reported that an informational annexation meeting with the residents of Grove Street was scheduled for April 28, 2009 at the Town Hall beginning at 6:30 p.m.

Mayor Woods reported that the Special Events Committee would be meeting in preparation of the June 5, 2009 Dinner and Movie under the stars.

#### **Treasurer's Report**

(included in packet)

**UNFINISHED BUSINESS**

The Town Administrator reported that the Town Engineer would update the Council on the status of the Club Road sidewalk project at the May 5, 2009 workshop.

The Town Hall Lift Station project was postponed but should commence on the 1<sup>st</sup> of May.

**NEW BUSINESS**

Attorney Foster reported that both he and Lance would be out of Town for the meeting of May 14, 2009 but would be available via cell phone if required.

Code Enforcement officer Roche reported on pending legislation that would prohibit municipalities from entering upon and mitigating properties that were abandoned. He commented that there was a strong bank lobby behind the proposed bill and requested Town Council support in opposing the legislation.

Discussion followed.


It was agreed that if the bill were to move forward, the Town would contact their legislators.

**ADJOURNMENT**

With no further business to come before the Town Council, the meeting adjourned at 8:10 p.m.

Approved: 5.14.09  
Date

  
Janice C. Rutan, Town Administrator

  
James E. Woods, Mayor